

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 4, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - GPA-14118 - APPLICANT: R & S**

**INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL**

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*THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (4-1/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL.

## **\*\* STAFF REPORT \*\***

### **APPLICATION REQUEST**

This is a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from SC (Service Commercial) and M (Medium Density Residential) to PCD (Planned Community Development) on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway

A related rezoning (ZON-14120) to PD (Planned Development) , Site Development Plan Review (SDR-14114), and a Variance to allow a parking reduction (VAR-14122) will be considered concurrently.

### **EXECUTIVE SUMMARY**

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

### **BACKGROUND DATA:**

- |          |   |
|----------|---|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses (if residential) with a maximum density of two dwelling units per acre.                                    |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. The site was designated for M (Medium Density Residential) and SC (Service Commercial) land uses.  |
| 12/08/97 | The City Council approved rezonings (Z-109-97 and Z-110-97) of this site from R-E (Residence Estates) and C-1 (Limited Commercial) to R-PD 15 (Residential Planned Development) and C-1 (Limited Commercial). The Planning Commission and Planning and Development Department staff had recommended approval. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.   |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Centennial Hills Area as described in the Plan.   |

07/27/06 The Planning Commission recommended approval of companion items ZON-14120, VAR-14122 and SDR-14114 concurrently with this application.

07/27/06 The Planning Commission (4-1/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL (PC Agenda Item #26/ar).

### **DETAILS OF APPLICATION REQUEST**

Site Area: 36.43 Acres

#### **EXISTING LAND USE**

Subject Property	Undeveloped
North	CC 215 Right of Way
South	Single Family Dwellings
East	Undeveloped - city of North Las Vegas
West	Single Family Dwellings

#### **PLANNED LAND USE**

Subject Property	M (Medium Density Residential) and SC (Service Commercial)
North	CC 215 Right of Way
South	ML (Medium Low Density Residential)
East	city of North Las Vegas – Regional commercial
West	M (Medium Density Residential)

#### **EXISTING ZONING**

Subject Property	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) R-PD15 (Residential Planned Development - 15 Units Per Acre) to PD (Planned Development)
North	CC 215 Right of Way
South	R-1 (Single Family Residential)
East	city of North Las Vegas – C-1 (Neighborhood Commercial) C-2 (General Commercial)
West	R-PD8 (Residential Planned Development - 8 Units Per Acre) R-PD6 (Residential Planned Development - 6 Units Per Acre)

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE	X	

Staff has determined that this proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas. As of the current date, no response has been received from North Las Vegas.

<i><b>EXISTING GENERAL PLAN DESIGNATION</b></i>	<i><b>PERMITTED DENSITY</b></i>	<i><b>PROPOSED GENERAL PLAN DESIGNATION</b></i>	<i><b>PERMITTED DENSITY</b></i>
M	25.49 du/ac	PCD	8.0 du/ac

The west portion of the site (totaling 9.35 acres) is currently designated for M (Medium Density) land uses. The applicant is proposing 186 apartment units on this 36.43 acre site, for a density of 5.11 dwelling units per acre. This density is within the range permitted by the PCD (Planned Community Development) General Plan designation proposed for this site.

## **DEFINITIONS**

***ML (Medium Low Density Residential)***(5.6 to 8 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

***M (Medium Residential)***(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

***PCD (Planned Community Development)***(2 to 8 dwelling units/gross acre.) The Planned Community Development category allows for a mix of residential uses that maintain an average overall density ranging from 2 to 8 dwelling units per gross acre, depending upon compatibility with adjacent uses (e.g. a density of 2 units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development).

Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

***SC (Service Commercial)*** The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

***ROW (Right-of-Way)*** A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

## **INTERAGENCY ISSUES**

### ***PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT***

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The City of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas. As of this date, no comments have been received from the City of North Las Vegas

The impact report prepared by the applicant addressed the impact of the proposed development on traffic, classroom size, emergency services, housing, mass transit, open space, and recreation facilities.

## **ANALYSIS**

The request is for a General Plan Amendment from SC (Service Commercial) and M (Medium Density Residential) to PCD (Planned Community Development). The proposed designation is intended for a mix of residential uses that maintain an average overall density ranging from 2 to 8 dwelling units per gross acre and commercial, public facilities and office projects. The 36.43 acre site is currently undeveloped. The amendment was submitted in conjunction with a proposed Rezoning (ZON-14120) to the PD (Planned Development) district, a Variance to allow a parking reduction (VAR-14122) and a Site Development Plan Review (SDR-14114)

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed General Plan Amendment to PCD (Planned Community Development) allows a maximum residential density of 8.0 dwelling units per acre and allows commercial and office development.. The residential and commercial development associated with the PCD designation is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

In regard to “2”:

The applicant is proposing to rezone this site to PC (Planned Community). As noted previously, the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, and staff is unable to support this General Plan Amendment.

In regard to “3”:

There are adequate facilities and infrastructure to accommodate a planned community on this site.

In regard to “4”:

This request does not comply with Policy 3.5.2 of the 2020 Master Plan, which requires the developers of master planned communities to work with the City to ensure that the standards for these communities meet or exceed those for citywide development.

### **GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING**

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 26, 2006 a neighborhood meeting sponsored by the applicant was held at the Los Prados Country Club, 5150 Los Prados Circle. Twelve people attended and had the following concerns:

- Traffic - this project will compound current traffic problems
- School - student safety a concern with increased traffic
- Parking Garage - lighting, noise, exhaust, obstructed views a concern for adjacent homes
- Height of buildings/parking garage - will obstruct views, be unsightly from adjacent backyards
- 24 hour use - concern for 24 hour traffic, noise, congestion, crime
- Move or underground parking garage, build 10' perimeter walls

### **PLANNING COMMISSION ACTION**

There were four speakers, two opposed and two in favor.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 477 by Planning Department

**APPROVALS** 0

**PROTESTS** 0